

*City of Alexandria, Virginia*  
*Department of Planning & Zoning*

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## **SPECIAL USE PERMIT CERTIFICATE**

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this Special Use Permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

|                                  |                     |
|----------------------------------|---------------------|
| Special Use Permit               | SUP #2017-0086      |
| Approved by Planning and Zoning: | August 21, 2017     |
| Permission is hereby granted to: | Innovations, LLC.   |
| to use the premises located at:  | 428A-Hume Avenue    |
| for the following purpose:       | see attached report |

It is the responsibility of the Special Use Permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

August 21, 2017  
Date

Karl Moritz / AD  
Karl Moritz, Director  
Department of Planning and Zoning

DATE: August 21, 2017

TO: Alex Dambach, Division Chief  
Department of Planning and Zoning

FROM: Madeleine Sims, Planner  
Department of Planning and Zoning

SUBJECT: Special Use Permit #2017-0086  
Administrative Review for Change of Ownership  
Site Use: Restaurant  
Applicant: Innovations LLC  
Location: 428-A Hume Avenue  
Zone: CSL / Commercial Service Low

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**Request**

Special Use Permit #2017-0086 is a request for a change of ownership and a minor amendment of an existing restaurant from Remy Corporation to Innovations, LLC. The applicant would maintain the business as a carry-out operation and incorporate pastries, salads and sweets to the pizza offerings. The applicant requests a minor amendment to operate from 7 a.m. to 10 p.m., daily, in lieu of the previously approved operating hours of 11 a.m. to 1 a.m., Sunday through Thursday, and 11 a.m. to 2:30 a.m., Friday and Saturday.

**Parking**

The subject restaurant was granted a parking reduction through SUP #95-00750, which allowed the restaurant to operate with three parking spaces until 5 p.m., and five parking spaces from 5 p.m. to the closing hour. The applicant maintains an active agreement with the lot owner to the rear of the subject building for those parking spaces. The applicant therefore meets the parking requirement established by SUP #95-0075.

**Community Outreach**

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Del Ray Citizen's Association and Arlandria Civic Association were sent an e-mail with information about the current application. Staff has not received any comments from residents or adjacent businesses.

**Staff Action**

Staff does not object to the change of ownership and the minor amendment requests. The restaurant would occupy a currently vacant storefront. Staff does not anticipate any new or intensified impacts because of the change in ownership and change in hours. Condition #4 has been updated to reflect the hours as requested by the applicant. Condition #11 has been deleted and the applicant will provide an interior trash can for patrons to use. Condition #17 has been satisfied by the applicant and staff has deleted the condition to reflect this status. Conditions #23 through #32 have been added to reflect current language regarding trash, pollution, noise and deliveries.

Staff hereby approves the Special Use Permit request.

**ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:**

Date: 08/21/17

Action: Approve



Alex Dambach, Division Chief

- Attachments: 1) Special Use Permit Conditions  
2) City Department Comments  
3) Statement of Consent

**CONDITIONS OF SPECIAL USE PERMIT #2017-0086**

The new owner is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z) (SUP 95-0075)
2. No on-site consumption of food or beverages shall be permitted, and no seats or tables shall be provided for patrons. (P&Z) (SUP 95-0075)
3. No outside dining facilities shall be located on the premises. (P&Z) (SUP 95-0075)
4. **CONDITION AMENDED BY STAFF:** The hours of operation shall be limited to 7 a.m. to 10 p.m., daily. 11:00 A.M. to 1:00 A.M., Sunday through Thursday, 11:00 A.M. to 2:30 A.M., Friday and Saturday. (P&Z) (SUP 95-0075)
5. No live entertainment shall be provided at the restaurant. (P&Z) (SUP 95-0075)
6. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z) (SUP 95-0075)
7. No alcoholic beverages shall be sold. (P&Z) (SUP 95-0075)
8. No food, beverages, or other material shall be stored outside. (P&Z) (SUP 95-0075)
9. **CONDITION DELETED AND REPLACED WITH CONDITION #20 BY STAFF:**  
~~Trash and garbage shall be stored inside or in a dumpster. (P&Z) (SUP 95-0075)~~
10. Trash and garbage shall be collected every day that service is available. (P&Z) (SUP 95-0075)
11. **CONDITION SATISFIED AND DELETED BY STAFF:** ~~One City trash container shall be furnished to the City of Alexandria for installation by the City on the adjacent public right of way. (P&Z) (SUP 95-0075)~~
12. **CONDITION AMENDED BY STAFF:** Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z) (TES) (SUP 95-0075)

13. **CONDITION AMENDED BY STAFF:** Food deliveries shall be from the designated loading zone only; delivery trucks shall not double park along Hume Avenue. (P&Z) (TES) (SUP 95-0075)
14. **CONDITION AMENDED BY STAFF:** Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residues or wash water be washed into the streets, alleys or storm sewers. (T&ES) (SUP 95-0075)
15. The applicant shall provide three parking spaces within 300 feet of the restaurant between 11:00 A.M. and 5:00 P.M. After 5:00 P.M., the applicant shall provide a minimum of five parking spaces within 300 feet of the restaurant. (P&Z) (SUP 95-0075)
16. The applicant shall provide direct access to the rear parking lot by opening the sealed doorway located on the rear wall of the restaurant. (P&Z) (SUP 95-0075)
17. **CONDITION SATISFIED AND DELETED BY STAFF:** ~~The oversized wall sign located on the rear of the building shall be removed by the landlord prior to the applicant obtaining a certificate of occupancy for the restaurant. (P&Z) (SUP 95-0075)~~
18. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit after it has been operational for one year and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the Director ~~he~~ has received a request from any person to docket the permit for review as a result of a complaint that rises to the level of a violation; or (c) the Director ~~he~~ has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z) (SUP 95-0075)
19. **CONDITION DELETED BY STAFF AND REPLACED WITH CONDITION #28:** ~~No amplified sound shall be audible at the property line. (P&Z) (SUP#2001-0067)~~
20. **CONDITION AMENDED BY STAFF:** Trash and garbage shall be stored inside or placed in sealed containers which ~~that~~ do not allow odors to escape, invasion by animals, or leaking, and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES) (SUP2001-0067)
21. **CONDITION AMENDED BY STAFF:** The applicant shall control cooking odors, ~~and~~ smoke and other air pollution from operations at the site and prevent them from leaving from the property to prevent them from ~~or~~ becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES) (SUP2001-0067)

22. **CONDITION SATISFIED AND DELETED BY STAFF:** ~~The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey and robbery awareness program for employees. (Police) (SUP#2001-0067)~~
23. **CONDITION ADDED BY STAFF:** Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
24. **CONDITION ADDED BY STAFF:** Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
25. **CONDITION ADDED BY STAFF:** If used cooking oil is stored outside, the drum shall be kept securely closed with a bung when not receiving used oil, it shall be placed on secondary containment, and it shall be kept under cover to prevent rainwater from falling on it. (T&ES)
26. **CONDITION ADDED BY STAFF:** All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
27. **CONDITION ADDED BY STAFF:** Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
28. **CONDITION ADDED BY STAFF:** The use must comply with the city's noise ordinance. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
29. **CONDITION ADDED BY STAFF:** The applicant shall require its employees who drive to use off-street parking. (T&ES)
30. **CONDITION ADDED BY STAFF:** The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for information on establishing an employee transportation benefits program. (T&ES)
31. **CONDITION ADDED BY STAFF:** The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for more information about available resources. (T&ES)
32. **CONDITION ADDED BY STAFF:** The applicant shall encourage patrons to park off-street through the provision of information about parking on advertising and on the restaurant's website. (T&ES)

### CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

#### Transportation & Environmental Services:

- R-1 Condition 9. **DELETED BY STAFF:** ~~Trash and garbage shall be stored inside or in a dumpster. (P&Z) (SUP 95-0075)~~
- R-2 Condition 11. **DELETED BY STAFF:** ~~One City trash container shall be furnished to the City of Alexandria for installation by the City on the adjacent public right of way. (P&Z) (SUP 95-0075)~~
- R-3 Condition 12. **AMENDED BY STAFF:** Litter on the site and on public rights of way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z) **(TES) (SUP 95-0075)**
- R-4 Condition 13. **AMENDED BY STAFF:** Food deliveries shall be from the designated loading zone only; delivery trucks shall not double park along Hume Avenue. (P&Z) **(TES) (SUP 95-0075)**
- R-5 Condition 14. **AMENDED BY STAFF:** Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue or wash water be washed not the streets, alleys or storm sewers. (T&ES) **(SUP95-0075)**
- R-6 Condition 20. **AMENDED BY STAFF:** Trash and garbage shall be stored inside or placed in sealed containers which that do not allow odors to escape, invasion by animals, or leaking, and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) **(T&ES) (SUP2001-0067)**
- R-7 Condition 21. **AMENDED BY STAFF:** The applicant shall control cooking odors, and smoke and other air pollution from operations at the site and prevent them from leaving from the property to prevent them from or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES) **(SUP2001-0067)**
- R-8 Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
- R-9 Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)

- R-10 If used cooking oil is stored outside, the drum shall be kept securely closed with a bung when not receiving used oil, it shall be placed on secondary containment, and it shall be kept under cover to prevent rainwater from falling on it. (T&ES)
- R-11 All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
- R-12 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-13 The use must comply with the city's noise ordinance. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
- R-14 The applicant shall require its employees who drive to use off-street parking. (T&ES)
- R-15 The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for information on establishing an employee transportation benefits program. (T&ES)
- R-16 The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for more information about available resources. (T&ES)
- R-17 The applicant shall encourage patrons to park off-street through the provision of information about parking on advertising and on the restaurant's website. (T&ES)
- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of SUP approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at [commercialrecycling@alexandriava.gov](mailto:commercialrecycling@alexandriava.gov), for information about completing this form. (T&ES)
- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
- C-3 Section 5-1-42- Collection by Private collectors. (c) Time of collection. Solid waste shall be collected from all premises not serviced by the city at least once each week. No collections may be made between the hours of 11:00 p.m. and 7:00 a.m. (6:00 a.m. from



May 1, through September 30) if the collection area is less than 500 feet from a residential area. (T&ES)

**Code Enforcement:**

No code comment for the request to change hours.

**Health Department:**

No comments received.

**Parks and Recreation:**

No comments received.

**Police Department:**


No comments received.

**Fire:**

No comments or concerns.

1. STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2017-0086. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the restaurant at 428-A Hume Avenue.

  
\_\_\_\_\_  
Applicant Signature

08-23-17  
Date

Shohina Touraeva  
Applicant – Printed

08-23-17  
Date